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November 25, 2024

Via ECF

The Honorable Stewart D. Aaron
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl Street, Courtroom 11C
 New York, New York 10007

Re: *NCR Corporation v. B.A.T. Industries p.l.c.*, No. 1:23-cv-01172-JPC-SDA

Dear Judge Aaron:

We write on behalf of B.A.T. Industries p.l.c. (“BAT”) to request an amendment to the briefing schedule for NCR Voyix Corporation’s (“NCR”) anticipated motion to strike BAT’s jury demand. On November 20, NCR filed a pre-motion letter with Judge Cronan, which included a proposed briefing schedule, which NCR never sought BAT’s input on. Dkt. 51. On November 22, Judge Cronan referred NCR’s anticipated motion to strike to Your Honor for a report and recommendation. Dkt. 54. On November 23, Your Honor so-ordered NCR’s proposed briefing schedule. Dkt. 55. Your Honor’s Individual Practices “strongly encourage [the parties] to agree on a reasonable briefing schedule before the moving papers are filed.” Rule III.A. If the parties agree on a briefing schedule, Your Honor requests that the parties inform the court “by letter as soon as agreement is reached.” *Id.*

Pursuant to Your Honor’s Rule III.A, BAT writes to inform the Court that NCR and BAT had reached agreement on a briefing schedule for NCR’s intended motion to strike BAT’s jury demand late last Friday, but BAT had not had a chance to draft and file a letter with the proposed schedule prior to Your Honor so ordering NCR’s originally proposed briefing schedule. BAT and NCR agreed that, due to the holidays and travel schedules, BAT should be given extra time to respond to NCR’s motion and NCR should be given additional time to file its reply. BAT therefore requests that the Court amend the briefing schedule to reflect the parties’ agreed upon schedule:

<u>Event</u>	<u>Original Date</u>	<u>Proposed Date</u>
NCR Opening Brief	December 11, 2024	December 19, 2024
BAT Opposition Brief	January 15, 2025	January 30, 2025
NCR Reply Brief	January 29, 2025	February 20, 2025

This is BAT's first time requesting an amended briefing schedule. NCR consents to this amended briefing schedule.

For all these reasons, BAT respectfully request that the Court amend the briefing schedule. We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Dennis H. Tracey III

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